

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMES J. MORAN,

Plaintiff

ORDER

-VS-

10-CV-6178 CJS

DR. LEBOWITZ, et al.,

Defendants

On March 27, 2013, the Honorable Marian W. Payson, United States Magistrate Judge, issued a Report and Recommendation (Docket No. [#44]), recommending that Plaintiff's motion to amend [#17] be denied, without prejudice to him filing another amended complaint. No objections were filed to the Report and Recommendation, and the time for doing so has now expired. Accordingly, it is hereby

ORDERED, that the Report and Recommendation [#44] is affirmed and adopted in all respects; and it is further

ORDERED, that Plaintiff's motion to amend [#17] is denied; and it is further

ORDERED, that within thirty (30) days of the date of this Decision and Order, Plaintiff may file and serve an amended complaint that complies with the directions contained in the Report and Recommendation; in that regard Plaintiff is reminded that the amended pleading is intended to completely replace all prior pleadings.

SO ORDERED.

Dated: Rochester, New York
April 29, 2013

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge